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U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

2006 MAY 19 PM 2:01

LORETTA G. WHYTE
CLERK

DOCKET NO. 1657

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

MAY - 2 2006

FILED
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BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-48)

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 3,729 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

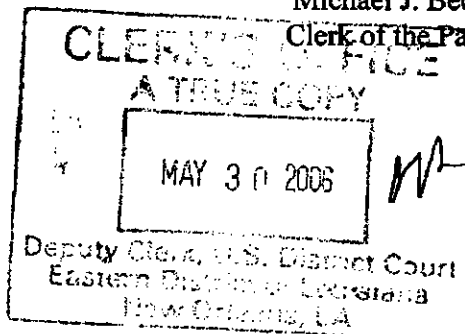
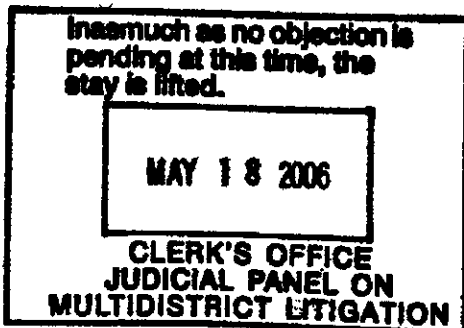
Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck
Clerk of the Panel



Fee _____
Process _____
X Dktd *DO*
CtRmDep _____
Doc. No. *1657*

FILED
U.S. DISTRICT COURT
DISTRICT OF LOUISIANA
2006 JUN 29 PM 1:11
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SCHEDULE CTO-48 - TAG-ALONG ACTIONS
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>SEC. L/3</u>
ALABAMA NORTHERN		
ALN 2 06-623	Howard Palmes, et al. v. Merck & Co., Inc.	06-2624
ALN 3 06-593	Bobby Middleton, etc. v. Merck & Co., Inc.	06-2625
ARKANSAS WESTERN		
ARW 1 06-1033	Rebecca Volner, et al. v. Merck & Co., Inc.	06-2626
CALIFORNIA CENTRAL		
CAC 2 06-1567	Robert Finkel v. Merck & Co., Inc.	06-2627
CAC 2 06-1886	David Sansoucie v. Merck & Co., Inc., et al.	06-2628
CALIFORNIA EASTERN		
CAE 2 06-477	Gary T. Freeman v. Merck & Co., Inc., et al.	06-2629
CAE 2 06-487	Loretta Cline, et al. v. Merck & Co., Inc., et al. Opposed 5/17/06	
CAE 2 06-583	Linda Winter v. Merck & Co., Inc., et al.	06-2630
CAE 2 06-593	Wanda Stark, et al. v. Merck & Co., Inc., et al.	06-2631
CAE 2 06-617	Ahn Devers v. Merck & Co., Inc., et al.	06-2632
CAE 2 06-653	Barton Marschall, et al. v. Merck & Co., Inc., et al.	06-2633
CAE 2 06-675	John Neal, et al. v. Merck & Co., Inc., et al.	06-2634
CAE 2 06-690	Frances Hubbel v. Merck & Co., Inc.	06-2635
CAE 2 06-692	Gretchen Chavarria, etc. v. Merck & Co., Inc., et al.	06-2636
CAE 2 06-694	Eila Roisseau v. Merck & Co., Inc., et al.	06-2637
CAE 2 06-718	Wendy Carrington v. Merck & Co., Inc., et al.	06-2638
CAE 2 06-728	Jannie Turner v. Merck & Co., Inc., et al.	06-2639
CALIFORNIA NORTHERN		
CAN 3 06-2371	Gary Magratten v. Merck & Co., Inc. Opposed 5/16/06	
CAN 5 06-2021	Dorothy Brooks, et al. v. Merck & Co., Inc.	06-2640
COLORADO		
CO 1 06-612	Debra S. Hoffman v. Merck & Co., Inc.	06-2641
FLORIDA MIDDLE		
FLM 5 06-119	Arthur Allyn v. Merck & Co., Inc., et al.	06-2642
FLORIDA SOUTHERN		
FLS 0 06-60330	Harry Boyarsky, et al. v. Merck & Co., Inc.	06-2643
FLS 0 06-60478	Donna Broady v. Merck & Co., Inc.	06-2644
FLS 0 06-60497	Lucy Hayek v. Merck & Co., Inc.	06-2645
FLS 1 06-20650	Orlando Hernandez v. Merck & Co., Inc.	06-2646
FLS 1 06-20952	Douglas Noecker, etc. v. Merck & Co., Inc.	06-2647
FLS 2 06-14083	Constance Drury, et al. v. Merck & Co., Inc.	06-2648
GEORGIA NORTHERN		
GAN 2 06-52	Betty D. Messick, et. al v. Merck & Co., Inc.	06-2649
GAN 2 06-53	Cathy Marie Speed, et al. v. Merck & Co., Inc.	06-2650
ILLINOIS NORTHERN		
ILN 1 06-1773	Marilyn Imparato, etc. v. Merck & Co., Inc.	06-2651

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ILLINOIS SOUTHERN		
ILS 3 06-243	Patricia S. Beckett v. Merck & Co., Inc.	06-2652
ILS 3 06-289	Bob Culberson, et al. v. Merck & Co., Inc.	06-2653
INDIANA NORTHERN		
INN 1 06-91	Eva Marie Shore v. Merck & Co., Inc.	06-2654
INN 4 06-53	Merlene King, et al. v. Merck & Co., Inc.	06-2655
INDIANA SOUTHERN		
INS 1 06-484	Floyd Nafe, et al. v. Merck & Co., Inc.	06-2656
INS 1 06-523	Judith A. Welty, et al. v. Merck & Co., Inc.	06-2657
INS 1 06-524	Daniel Paskins v. Merck & Co., Inc.	06-2658
INS 1 06-547	John Hoyt, et al. v. Merck & Co., Inc.	06-2659
KENTUCKY EASTERN		
KYE 0 06-62	Charles L. Powell, Jr., etc. v. Merck & Co., Inc., et al.	06-2660
KENTUCKY WESTERN		
KYW 3 05-604	Mary L. Harper, et al. v. Merck & Co., Inc. Opposed 5/17/06	
LOUISIANA WESTERN		
LAW 2 06-503	Anthony D. Roy, et al. v. Merck & Co., Inc.	06-2661
LAW 5 05-1714	Joyce Franklin-Spates, et al. v. Merck & Co., Inc.	06-2662
LAW 6 05-1878	Suman Sahi, et al. v. Merck & Co., Inc., et al.	06-2663
MASSACHUSETTS		
MA 1 06-10547	Barbara Lanagan v. Merck & Co., Inc.	06-2664
MARYLAND		
MD 1 06-793	Eleanor M. Jubb v. Merck & Co., Inc.	06-2665
MD 1 06-795	Julio A. Rossi v. Merck & Co., Inc.	06-2666
MD 1 06-928	Carla F. Adams, et al. v. Merck & Co., Inc.	06-2667
MD 1 06-939	Ralph A. Musella, et al. v. Merck & Co., Inc.	06-2668
MINNESOTA		
MN 0 06-1051	Kenneth Gary Gibbs, et al. v. Merck & Co., Inc.	06-2669
MN 0 06-1078	Leonard Kasproicz v. Merck & Co., Inc.	06-2670
MN 0 06-1082	Bernecia Thompson v. Merck & Co., Inc.	06-2671
MN 0 06-1083	Shelly Marete v. Merck & Co., Inc.	06-2672
MN 0 06-1085	Elizabeth Anderson v. Merck & Co., Inc.	06-2673
MN 0 06-1117	Rita Bowman v. Merck & Co. Inc.	06-2674
MN 0 06-1118	Rose L. Layfield v. Merck & Co., Inc.	06-2675
MN 0 06-1126	Carol Ann Noland, etc. v. Merck & Co., Inc.	06-2676
MN 0 06-1242	Donna M. Rachwal, etc. v. Merck & Co., Inc.	06-2677
MN 0 06-1266	Thomas Nessel v. Merck & Co., Inc.	06-2678
MN 0 06-1298	Patrice Lambert, etc. v. Merck & Co., Inc.	06-2679
MN 0 06-1304	Dean A. Mote, etc. v. Merck & Co., Inc.	06-2680
MN 0 06-1334	Mary Jane Tracy v. Merck & Co., Inc.	06-2681
MN 0 06-1362	Julian Kycia v. Merck & Co., Inc.	06-2682
MN 0 06-1363	Gregory L. Wilson v. Merck & Co., Inc.	06-2683
MN 0 06-1364	Patrick Braegelmann v. Merck & Co., Inc.	06-2684
MN 0 06-1365	David Juckel v. Merck & Co., Inc.	06-2685
MN 0 06-1366	James Standefer v. Merck & Co., Inc.	06-2686
MN 0 06-1367	Judith F. Johnson v. Merck & Co., Inc.	06-2687
MN 0 06-1368	Birdie Bennett v. Merck & Co., Inc.	06-2688
MN 0 06-1369	Clifford Earls v. Merck & Co., Inc.	06-2689
MN 0 06-1370	Laurence Dukowitz v. Merck & Co., Inc.	06-2690

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA SEC. L/3</u>
MN 0 06-1412	Vivian Macelli v. Merck & Co., Inc.	06-2691
MN 0 06-1413	Peter J. Blair v. Merck & Co., Inc.	06-2692
MN 0 06-1436	Robert Keller, etc. v. Merck & Co., Inc.	06-2693
MISSOURI EASTERN		
MOE 1 06-51	Josephine Adams Murphy, et al. v. Merck & Co., Inc.	06-2694
MISSISSIPPI NORTHERN		
MSN 2 05-226	Ellen Griffin v. Merck & Co., Inc., et al.	06-2695
MSN 2 05-227	Elizabeth Bland v. Merck & Co., Inc., et al.	06-2696
MSN 2 05-228	Annie Hall v. Merck & Co., Inc., et al.	06-2697
MSN 2 05-230	Freeman Banks v. Merck & Co., Inc., et al.	06-2698
MSN 2 06-63	Jacqueline Fuqua v. Merck & Co., Inc., et al. Opposed 5/16/06	
MSN 2 06-64	Randy Robinson v. Merck & Co., Inc., et al. Opposed 5/16/06	
MSN 2 06-65	Owen Kittle v. Merck & Co., Inc., et al. Opposed 5/16/06	
MSN 2 06-66	Ginger Pope v. Merck & Co., Inc., et al. Opposed 5/16/06	
MSN 2 06-67	Sidney Cook v. Merck & Co., Inc., et al.	06-2699
MSN 4 05-251	Kay Bee v. Merck & Co., Inc., et al.	06-2700
MSN 4 05-252	James Flowers v. Merck & Co., Inc., et al.	06-2701
MSN 4 05-254	Elmira Moore v. Merck & Co., Inc., et al.	06-2702
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MSS 2 06-81	Phyllis Smith v. Merck & Co., Inc.	06-2703
MSS 2 06-93	Donald H. Jones, Sr., et al. v. Merck & Co., Inc.	06-2704
NORTH CAROLINA MIDDLE		
NCM 1 06-298	Lizzie Webb v. Merck & Co., Inc.	06-2705
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NE 4 06-3090	Deloris N. Jawnie Grow, et al. v. Merck & Co., Inc.	06-2706
NEW MEXICO		
NM 1 06-247	Chlorida Archuleta v. Merck & Co., Inc.	06-2707
NEW YORK EASTERN		
NYE 1 06-1445	Ronald Lucero v. Merck & Co., Inc. Opposed 5/18/06	
NEW YORK NORTHERN		
NYN 3 06-429	Marjorie Connolly, et al. v. Merck & Co., Inc.	06-2708
NEW YORK SOUTHERN		
NYS 1 06-2210	Sarita Lala v. Merck & Co., Inc.	06-2709
NYS 1 06-2917	Marie Kriegel v. Merck & Co., Inc.	06-2710
NEW YORK WESTERN		
NYW 6 06-6148	Susan Lynn Roberson v. Merck & Co., Inc., et al.	06-2711
NYW 6 06-6149	Robert Harris v. Merck & Co., Inc., et al.	06-2712
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OHN 1 06-651	Kelly A. Block v. Merck & Co., Inc.	06-2713
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OHS 1 06-213	Clifford Lindsey, et al. v. Merck & Co., Inc.	06-2714

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	<u>EDLA</u> <u>SEC. L/3</u>
PENNSYLVANIA EASTERN		
PAE 2 06-1220	Kenneth A. Ackman v. Merck & Co., Inc., et al.	06-2715
PAE 2 06-1221	Edward A. Ramcke, et al. v. Merck & Co., Inc., et al.	06-2716
PAE 2 06-1253	Eileen A. Small, et al. v. Merck & Co., Inc.	06-2717
PAE 2 06-1328	Frank Swietlik, et al. v. Merck & Co., Inc., et al.	06-2718
PAE 2 06-1330	Marcelle Silvin, et al. v. Merck & Co., Inc., et al.	06-2719
PAE 2 06-1400	Peggy L. Welch, et al. v. Merck & Co., Inc.	06-2720
PAE 2 06-1419	Anton Anderson, et al. v. Merck & Co., Inc., et al.	06-2721
PAE 2 06-1487	Lydia Simmons v. Merck & Co., Inc., et al.	06-2722
PAE 2 06-1488	Olga Sagajdak, et al. v. Merck & Co., Inc., et al.	06-2723
TEXAS EASTERN		
TXE 1 06-169	Donna Gaye Naman v. Merck & Co., Inc., et al.	06-2724
TXE 1 06-195	Wilmer J. Allman, et al. v. Merck & Co., Inc.	06-2725
TXE 2 06-118	Linda Andrews, et al. v. Merck & Co., Inc.	06-2726
TXE 2 06-119	Gilda Morales, et al. v. Merck & Co., Inc.	06-2727
TXE 2 06-121	Pat Smith, et al. v. Merck & Co., Inc.	06-2728
TXE 2 06-122	Donald Tipton, et al. v. Merck & Co., Inc.	06-2729
TXE 2 06-123	Raymond Davis, etc. v. Merck & Co., Inc.	06-2730
TXE 2 06-124	Windford George Spharler, et al. v. Merck & Co., Inc.	06-2731
TXE 2 06-130	Buddie Jordan v. Merck & Co., Inc.	06-2732
TEXAS NORTHERN		
TXN 2 06-82	James Young, etc. v. Merck & Co., Inc.	06-2733
TXN 2 06-83	Michael Bonner v. Merck & Co., Inc.	06-2734
TXN 2 06-84	Robert Edwards v. Merck & Co., Inc.	06-2735
TXN 2 06-85	Eleanor Cunningham v. Merck & Co., Inc.	06-2736
TXN 2 06-86	Jimmy Hennuck v. Merck & Co., Inc.	06-2737
TXN 2 06-87	Sylvia Hulen v. Merck & Co., Inc.	06-2738
TXN 2 06-88	Margaret Logan v. Merck & Co., Inc.	06-2739
TXN 2 06-89	Clara Martens v. Merck & Co., Inc.	06-2740
TEXAS SOUTHERN		
TXS 4 05-4024	Melba Bruening, et al. v. Merck & Co., Inc.	06-2741
TXS 4 06-880	Eddie Harrison v. Merck & Co., Inc., et al.	06-2742
TEXAS WESTERN		
TXW 2 05-104	Bettie Gilbert, et al. v. Merck & Co., Inc.	06-2743
TXW 5 06-237	Evy Cheishvili v. Merck & Co., Inc.	06-2744
UTAH		
UT 2 06-232	Donna Chapla, etc. v. Merck & Co., Inc.	06-2745
UT 2 06-251	Laura Carlson v. Merck & Co., Inc., et al.	06-2746
UT 2 06-252	Calvin Anderton, etc. v. Merck & Co., Inc.	06-2747
VIRGINIA WESTERN		
VAW 2 06-19	Gaye Moore, et al. v. Merck & Co., Inc., et al.	06-2748
WISCONSIN WESTERN		
WIW 3 06-193	Andrew N. Reville v. Merck & Co., Inc.	06-2749

INVOLVED COUNSEL LIST (CTO-48)
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

Christopher Tod Alley
 Alley, Clark, Greiwe & Fulmer
 701 East Washington Street
 P.O. Box 3127
 Tampa, FL 33601-3127

Kurt Brynilde Arnold
 Arnold & Itkin, LLP
 700 Louisiana Street
 Suite 4700
 Houston, TX 77000

Crystal Bowie Baker
 Nelson Mullins Riley & Scarborough
 The Knollwood, Suite 530
 380 Knollwood Street
 Winston-Salem, NC 27103

Lee B. Balefsky
 Kline & Specter
 1525 Locust Street
 19th Floor
 Philadelphia, PA 19102

Dan H. Ball
 Bryan Cave, LLP
 One Metropolitan Square
 211 N. Broadway
 Suite 3600
 St. Louis, MO 63102-2750

Ronald R. Benjamin
 Law Offices of Ronald R. Benjamin
 126 Riverside Drive
 P.O. Box 607
 Binghamton, NY 13902-0607

Cindy K. Bennes
 Phillips, Lytle, LLP
 3400 HSBC Center
 Buffalo, NY 14203

Bruce A. Bierhans
 Bierhans, Delalmeire & Cohen, LLC
 44 School Street, 9th Floor
 Boston, MA 02108

Michael R. Bilbrey
 Bilbrey & Hylla
 8724 Pin Oak Road
 P.O. Box 975
 Edwardsville, IL 62025

Bruce Blackburn
 Spear & Blackburn
 620 Greenup Ave.
 Raceland, KY 41169

Christopher J. Blake
 Nelson, Mullins, Riley
 & Scarborough, LLP
 P.O. Box 30519
 Raleigh, NC 27622-0519

Dana A. Blanton
 Reed Smith, LLP
 1999 Harrison Street
 P.O. Box 2084
 Oakland, CA 94604-2084

Steven J. Boranian
 Reed Smith, LLP
 Two Embarcadero Center
 Suite 2000
 P.O. Box 7936
 San Francisco, CA 94111

Matthew C. Boulton
 Keller & Keller
 2850 North Meridian Street
 Indianapolis, IN 46208

Reshonda L. Bradford
 Singleton Law Firm
 4050 Linwood Avenue
 Shreveport, LA 71108

Anthony G. Brazil
 Morris, Polich & Purdy, LLP
 1055 West Seventh Street
 24th Floor
 Los Angeles, CA 90017-2503

Michael K. Brown
 Reed Smith, LLP
 355 South Grand Avenue
 Suite 2900
 Los Angeles, CA 90071-1514

Christopher M. Cannon
 Fazio, Dawson, Disalvo, Cannon, et al.
 633 S. Andrews Avenue
 Suite 500
 P.O. Box 14519
 Fort Lauderdale, FL 33301

Carlos Bruno Castillo
 Seidman, Prewitt, Dibello & Lopes, P.A.
 1550 Madruga Avenue
 Suite 504
 Coral Gables, FL 33146

Gary Yunchian Chen
 Reed Smith, LLP
 355 South Grand Avenue
 Suite 2900
 Los Angeles, CA 90071

Amanda M. Cialkowski
 Hallelund, Lewis, Nilan
 & Johnson, P.A.
 220 South 6th Street
 Suite 600
 Minneapolis, MN 55402

James D. Clark
 Cunningham Law Group
 100 S. Ashley Drive
 Suite 100
 Tampa, FL 33602-5348

Casey D. Cloyd
 Bradburn & Cloyd
 6100 North Keystone Avenue
 Suite 509
 Indianapolis, IN 46220

Kanika D. Corley
 Morris, Polich & Purdy, LLP
 1055 West 7th Street
 Suite 2400
 Los Angeles, CA 90017

Thomas A. Countryman
 Fulbright & Jaworski, L.L.P.
 300 Convent Street
 Suite 2200
 San Antonio, TX 78205-3792

Lawrence N. Curtis
 Curtis & Lambert
 P.O. Box 80247
 Lafayette, LA 70598

James J. Dillon
 Foley Hoag, LLP
 155 Seaport Boulevard
 Seaport World Trade Center West
 Boston, MA 02210-2600

INVOLVED COUNSEL LIST (CTO-48) MDL-1657

PAGE 2 of 5

Steve August Fabbro
Law Offices of Steven A. Fabbro
101 Montgomery Street
27th floor
San Francisco, CA 94104

Ronald E. Faulk
Ronald E. Faulk Law Offices
601 East Glenoaks Blvd.
Suite 202
Glendale, CA 91207-1700

Alfred Lee Felder
P.O. Box 1261
McComb, MS 39649

Robert J. Fenstersheib
Law Offices of Robert J.
Fenstersheib & Assoc.
520 West Hallandale Beach Blvd.
Hallendale, FL 33009-5307

Mauro Fiore, Jr.
Mauro Fiore, Jr. Law Offices
1901 West Pacific Ave.
Suite 260
West Covina, CA 91790

Leonard V. Fodera
Silverman & Fodera
1835 Market Street
Eleven Penn Center
Suite 2600
Philadelphia, PA 19103-2968

Daniel H. Friedman
Friedman Law Offices
P.O. Box 82009
Lincoln, NE 68501

Brenda S. Fulmer
Alley, Clark, Greiwe & Fulmer
701 East Washington Street
P.O. Box 3127
Tampa, FL 33601-3127

Michael T. Gallagher
Gallagher Law Firm, P.C.
777 Walker Street
Suite 2500
Houston, TX 77002

Joseph O. Giaimo
Giaimo Associates, LLP
80-02 Kew Gardens Road
Kew Gardens, NY 11415

Robert Edward Godosky
Godosky & Gentile
61 Broad Street, 20th Floor
New York, NY 10006

Ronald S. Goldser
Zimmerman Reed, PLLP
651 Nicollet Mall
Suite 501
Minneapolis, MN 55402-4123

Brian A. Goldstein
Barnes Firm, P.C.
17 Court Street, 7th Floor
Buffalo, NY 14202-3290

Charles E. Griffin
Griffin & Associates
125 South Congress Street
Suite 1515
P.O. Box 968
Jackson, MS 39205-0968

William Hamel
Dinkes & Schwitzer
112 Madison Avenue
New York, NY 10016

Arthur Walter Harmon, Jr.
Harmon, Davis & Associates
1200 Cypress Street
Cincinnati, OH 45206

Vilia B. Hayes
Hughes, Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004

Russ M. Herman
Herman, Herman, Katz & Cotlar, L.L.P.
820 O'Keefe Avenue
New Orleans, LA 70113

Walter Hodynsky
Milavetz Gallop & Milavetz
6500 France Avenue, South
Edina, MN 55435

Alva A. Hollon, Jr.
Sams & Hollon
9424 Bay Meadows Road
Suite 160
Jacksonville, FL 32256-7967

James Holmes
Schmidt Firm, LLP
2911 Turtle Creek Blvd.
#1400
Dallas, TX 75219

William Zachary Hughes
Baker Botts LLP
910 Louisiana
Suite 3000 One Shell Plaza
Houston, TX 77002-4995

Christopher L. Ingold
Irwin & Boesen
501 South Cherry Street
One Cherry Center #500
Denver, CO 80246-1327
William Thomas Jacks
Mithoff & Jacks, L.L.P.
111 Congress Ave.
Suite 1010
Austin, TX 78701-4073

Micheal Alfred Jacob, II
Chapman, Lewis & Swan
P.O. Box 428
Clarksdale, MS 38614-0428

Alyson B. Jones
Butler Snow O'Mara Stevens & Cannada
P.O. Box 22567
Jackson, MS 39225-2567

Richard L. Josephson
Baker Botts LLP
One Shell Plaza
910 Louisiana Street, Suite 3000
Houston, TX 77002-9934

Patricia J. Kasputys
Law Offices of Peter G. Angelos, P.C.
One Charles Center
100 North Charles Street
20th Floor
Baltimore, MD 21201

Darla L. Keen
Lytal, Reiter, Clark, Fountain
& Williams, LLP
515 North Flagler Drive
Tenth Floor
P.O. Box 4056
West Palm Beach, FL 33402-4056

INVOLVED COUNSEL LIST (CTO-48) MDL-1657

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William A. Kershaw
Kershaw, Cutter & Ratinoff LLP
980 9th Street, 19th Floor
Sacramento, CA 95814

John H. Kim
Kim Law Firm
Two Shell Plaza, Suite 2500
777 Walker Street
Houston, TX 77002-5322

Rosalie Euna Kim
Reed Smith, LLP
Two Embarcadero Center
Suite 2000
San Francisco, CA 94111

Norman C. Kleinberg
Hughes Hubbard & Reed, LLP
One Battery Park Plaza
12th Floor
New York, NY 10004-1482

Joy A. Kruse
Lief, Cabraser, Heimann
& Bernstein, LLP
275 Battery Street
30th Floor
San Francisco, CA 94111-3339

Rebecca M. Langston
Langston & Langston, PLLC
201 North President Street
Jackson, MS 39201

Kristine Larsen
Ray, Quinney & Nebeker
36 South State Street
Suite 1400
P.O. Box 45385
Salt Lake City, UT 84145-0385

Aneca E. Lasley
Squire, Sanders & Dempsey, LLP
1300 Huntington Center
41 South High Street
Columbus, OH 43215

Janet Juanita Lennon
123 W. Main Street
Durham, NC 27701

Arnold Levin
Levin, Fishbein, Sedran & Berman
510 Walnut Street
Suite 500
Philadelphia, PA 19106-3697

Benjamin L. Locklar
Beasley, Allen, Crow, Methvin, Portis
& Miles, PC
P.O. Box 4160
Montgomery, AL 36103-4160

Richard A. Lockridge
Lockridge, Grindal & Nauen P.L.L.P.
100 Washington Avenue South
Suite 2200
Minneapolis, MN 55401-2179

Gerry Lowry
Fulbright & Jaworski, L.L.P.
1301 McKinney Street
Suite 5100
Houston, TX 77010-3095

Patricia E. Lowry
Squire, Sanders & Dempsey, LLP
1900 Phillips Point West
777 South Flagler Drive
West Palm Beach, FL 33401-6198

Gary Magratten
26901 Ridge Road
Willits, CA 95490

Theodore V. Mayer
Hughes Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004

Carl E. McAfee
McAfee Law Firm, P.C.
P.O. Box 656
Norton, VA 24273-0656

William T. McCall
Guillory & McCall
P.O. Box 1607
Lake Charles, LA 70602

Andrea L. McDonald-Hicks
Reed Smith, LLP
1999 Harrison Street
Suite 2400
Oakland, CA 94612-3572

Kim R. Meyers
McCray, Muzilla, Smith & Meyers
260 Burns Road
Suite 150
Elyria, OH 44036

Winston E. Miller
Frost, Brown & Todd, L.L.C.
400 West Market Street
32nd Floor
Louisville, KY 40202-3363

Nancy A. Mismash
Robert J. Derby & Associates
4252 South 700 East
Salt Lake City, UT 84107

F. Chadwick Morris
Rushton, Stakely, Johnston
& Garrett, PA
P.O. Box 270
Montgomery, AL 36101-0270

James Scott Murphy
626 E. Daniels
Piedmont, MO 63957

Joséphine Adams Murphy
626 E. Daniels
Piedmont, MO 63957

Susan L. Nardone
Gibbons, Del Deo, Dolan,
Griffinger, et al.
One Riverfront Plaza
Newark, NJ 07102-5497

Brett E. Nelson
Plews, Shadley, Racher & Braun
1346 North Delaware Street
Indianapolis, IN 46202-2415

Thao Trong Nguyen
Plews, Shadley, Racher & Braun
53732 Generations Drive
South Bend, IN 46635

Vincent E. Nowak
Mullin, Hoard & Brown, LLP
500 South Taylor
Suite 800 LB 213
Amarillo, TX 79101-1656

Ann B. Oldfather
Oldfather & Morris
1330 South Third Street
Louisville, KY 40208

Tina M. Parker
Alvis & Willingham, LLP
1400 Urban Center Drive
Suite 475
Birmingham, AL 35242

INVOLVED COUNSEL LIST (CTO-48) MDL-1657

PAGE 4 of 5

Robb W. Patryk
Hughes Hubbard & Reed, LLP
One Battery Park Plaza
New York, NY 10004

Susan J. Pope
Frost, Brown & Todd, L.L.C.
250 West Main Street
Suite 2700
Lexington, KY 40507-1749

John K. Povall
J. Kirkham Povall, P.A.
P.O. Box 1199
Cleveland, MS 38732-1199

D. Brian Rattliff
Bubalo & Hiestand, PLC
401 South Fourth Street, Suite 800
Louisville, KY 40202

Bryan C. Reuter
Stanley, Flanagan & Reuter L.L.C.
909 Poydras Street, Suite 2500
New Orleans, LA 70112

Mark P. Robinson, Jr.
Robinson, Calcagnie & Robinson
620 Newport Center Drive, Suite 700
Newport Beach, CA 92660

Joshua G. Schiller
Dechert LLP
Cia Centre
2929 Arch Street
Philadelphia, PA 19104

Jerome J. Schlichter
Schlichter, Bogard & Denton
2661 North Illinois, Suite 187
Swansea, IL 62226

Douglas G. Schneebeck
Modrall, Sperling, Roehl, Harris
& Sisk, P.A.
P.O. Box 2168
Albuquerque, NM 87103

Anne M. Seibel
Bradley Arant Rose & White, LLP
One Federal Place
1819 5th Avenue North
P.O. Box 830709
Birmingham, AL 35283-2119

Roman A. Shaul
Beasley, Allen, Crow, Methvin, Portis
& Miles, PC
P.O. Box 4160
Montgomery, AL 36103-4160

Robert K. Shelquist
Lockridge, Grindal & Nauen P.L.L.P.
100 S. Washington Ave., Suite 2200
Minneapolis, MN 55401-2179

Brian Alan Sher
Bryan Cave, LLP
161 North Clark, #4800
Chicago, IL 60601-3206

Arthur Sherman
Sherman, Salkow, Petoyan & Weber
11601 Wilshire Blvd., Suite 675
Los Angeles, CA 90025-1742

Thomas G. Siracusa
Powers, Rogers & Smith
70 West Madison, Suite 5500
Chicago, IL 60602

James Paul Sizemore
Beasley, Allen, Crow, Methvin, Portis
& Miles, PC
P.O. Box 4160
Montgomery, AL 36103-4160

Jonathan B. Skidmore
Fulbright & Jaworski, L.L.P.
Texas Commerce Bank Tower
2200 Ross Avenue, Suite 2800
Dallas, TX 75201-2784

David E. Smith
Kershaw, Cutter & Ratnoff LLP
980 9th Street, 19th Floor
Sacramento, CA 95814

Kathryn A. Snapka
Snapka, Turman & Waterhouse, LLP
606 North Carancahua, Suite 1511
P.O. Drawer 23017
Corpus Christi, TX 78403

Jeffrey W. Soderberg
Mandrachia & Modesti, LLC
4402 Skippack Pike
P.O. Box 1229
Skippack, PA 19474-1229

Randy J. Soriano
Bryan Cave, LLP
One Metropolitan Square
211 N. Broadway, Suite 3600
St. Louis, MO 63102-2750

Richard C. Stanley
Stanley, Flanagan & Reuter L.L.C.
909 Poydras Street
LL&E Tower, Suite 2500
New Orleans, LA 7011

Dori K. Stibolt
Squire, Sanders & Dempsey, LLP
1900 Phillips Point W.
777 S. Flagler Drive
West Palm Beach, FL 33401-6198

Stephen G. Strauss
Bryan Cave, LLP
One Metropolitan Square
211 N. Broadway, Suite 3600
St. Louis, MO 63102-2750

Robert Martin Tata
Hunton & Williams
500 East Main Street, Suite 1000
Norfolk, VA 23510

Tyler S. Thompson
Dolt, Thompson, Shepherd & Kinney
455 S. 4th Street
310 Starks Building
Louisville, KY 40202

John Raymond Tullos
Tullos, Tullos & Tullos
P.O. Box 74
Raleigh, MS 39153-0074

Anne M. Valentine
Leeseberg & Valentine
Penthouse One
175 South Third Street
Columbus, OH 46215

J. Michael Veron
Bice, Palermo & Veron
713 Kirby Street
P.O. Box 2125
Lake Charles, LA 70602-2125

Christopher A. Viadro
Veen Firm, P.C.
711 Van Ness Avenue
Suite 220
San Francisco, CA 94102

INVOLVED COUNSEL LIST (CTO-48) MDL-1657

PAGE 5 of 5

Anna M. Warnock
Frost, Brown & Todd, L.L.C.
250 West Main Street
2700 Lexington Financial Center
Lexington, KY 40507-1749

Leila H. Watson
Cory, Watson, Crowder & DeGaris, PC
2131 Magnolia Avenue, Suite 200
P.O. Box 55927
Birmingham, AL 35255-5972

Robin G. Weaver
Squire, Sanders & Dempsey, L.L.P.
4900 Key Tower
127 Public Square
Cleveland, OH 44114-1304

Michael M. Weinkowitz
Levin, Fishbein, Sedran & Berman
510 Walnut Street, Suite 500
Philadelphia, PA 19106

Todd M. Weir
Otjen, Van Ert, Lieb & Wier, S.C.
700 N. Water Street, Suite 800
Milwaukee, WI 53202

Regina L. Wells
Schlichter, Bogard & Denton
100 S. Fourth Street, Suite 900
St. Louis, MO 63102

John Gerard Werner
Reaud, Morgan & Quinn, LLP
801 Laurel Street
P.O. Box 26005
Beaumont, TX 77720-6005

Gary L. Wilson
Robins, Kaplan, Miller & Ciresi
2800 LaSalle Plaza
800 LaSalle Avenue
Minneapolis, MN 55402-2015

Amy Kathleen Witherite
Eberstein & Witherite
3100 Monticello Avenue, Suite 500
Dallas, TX 75205

Phillip A. Wittmann
Stone, Pigman, Walther & Wittmann, LLC
546 Carondelet Street
New Orleans, LA 70130-3588

Martha K. Wivell
400 S. 4th Street, Suite 1012
Minneapolis, MN 55415

Alexander W. Wright
Wayne Wright, LLP
5707 IH-10 West, Suite 101
San Antonio, TX 78201

Allen K. Young
Young Kester & Petro
75 S. 300 West
Provo, UT 84601

Charles S. Zimmerman
Zimmerman Reed, PLLP
651 Nicollet Mall, Suite 501
Minneapolis, MN 55402-4123

INVOLVED JUDGES LIST (CTO-48)
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

Hon. Sarah Evans Barker
 U.S. District Judge
 210 Birch Bayh Federal Building
 & U.S. Courthouse
 46 East Ohio Street
 Indianapolis, IN 46204

Hon. Harry F. Barnes
 U.S. District Judge
 P.O. Box 1735
 El Dorado, AR 71731

Hon. James A. Beaty, Jr.
 U.S. District Judge
 248 Hiram H. Ward Federal Building
 251 N. Main Street
 Winston-Salem, NC 27101

Hon. Samuel F. Biery
 U.S. District Judge
 John H. Wood, Jr., U.S. Courthouse
 655 East Durango Boulevard
 San Antonio, TX 78206-1198

Hon. Neal B. Biggers, Jr.
 Senior U.S. District Judge
 388 Fed. Bldg. & U.S. Courthouse
 911 Jackson Avenue East
 Oxford, MS 38655-3622

Hon. Catherine C. Blake
 U.S. District Judge
 7310 Edward A. Garmatz Fed. Bldg
 & U.S. Courthouse
 101 West Lombard Street
 Baltimore, MD 21201-2605

Hon. Anita B. Brody
 U.S. District Judge
 4000 James A. Byrne
 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106

Hon. Ronald L. Buckwalter
 Senior U.S. District Judge
 14614 James A. Byrne
 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106-1797

Hon. Garland E. Burrell, Jr.
 U.S. District Judge
 501 I Street
 Suite 13-200
 Sacramento, CA 95814

Hon. Ron Clark
 U.S. District Judge
 221 Jack Brooks Federal Building
 and U.S. Courthouse
 300 Willow Street
 Tyler, TX 77701

Hon. James I. Cohn
 U.S. District Judge
 203F U.S. Courthouse
 299 East Broward Blvd.
 Fort Lauderdale, FL 33332

Hon. Frank C. Damrell, Jr.
 U.S. District Judge
 15-200 U.S. Courthouse
 501 I Street
 Sacramento, CA 95814-2322

Hon. Wiley Y. Daniel
 U.S. District Judge
 A1038 Alfred A. Arraj
 U.S. Courthouse
 90119th Street
 Denver, CO 80294

Hon. George B. Daniels
 U.S. District Judge
 410 Thurgood Marshall
 U.S. Courthouse
 40 Centre Street
 New York, NY 10007

Hon. Glen H. Davidson
 Chief Judge, U.S. District Court
 P.O. Box 767
 Aberdeen, MS 39730-0767

Hon. Andre M. Davis
 U.S. District Judge
 5B Edward A. Garmatz Federal
 Building & U.S. Courthouse
 101 West Lombard Street
 Baltimore, MD 21201-2615

Hon. Harwell G. Davis, III
 U.S. Magistrate Judge
 103 U.S. Courthouse
 101 Holmes Avenue, N.E.
 Huntsville, AL 35801

Hon. Leonard E. Davis
 U.S. District Judge
 United States District Court
 106 Federal Building
 211 West Ferguson Street
 Tyler, TX 75702

Hon. Michael J. Davis
 U.S. District Judge
 14E U.S. Courthouse
 300 South Fourth Street
 Minneapolis, MN 55415

Hon. Susan J. Dlott
 U.S. District Judge
 227 Potter Stewart U.S. Courthouse
 100 East Fifth Street
 Cincinnati, OH 45202-3976

Hon. Rebecca F. Doherty
 U.S. District Judge
 4900 U.S. Courthouse
 800 Lafayette Street
 Lafayette, LA 70501

Hon. David S. Doty
 Senior U.S. District Judge
 14W U.S. Courthouse
 300 South Fourth Street
 Minneapolis, MN 55415

Hon. William F. Downes
 Chief Judge, U.S. District Court
 210 Ewing T. Kerr Federal Building
 & U.S. Courthouse
 111 South Wolcott Street
 Casper, WY 82601

Hon. Morrison C. England, Jr.
 U.S. District Judge
 United States District Court
 15-200 U.S. Courthouse
 501 I Street
 Sacramento, CA 95814

INVOLVED JUDGES LIST (CTO-48) MDL-1657

PAGE 2 of 4

Hon. Joan N. Erickson
U.S. District Judge
12W U.S. Courthouse
300 South 4th Street
Minneapolis, MN 55415

Hon. David Folsom
U.S. District Judge
309 U.S. Courthouse & Post Office
500 N. State Line Avenue
Texarkana, TX 71854-5957

Hon. Donovan W. Frank
U.S. District Judge
738 Warren E. Burger Federal Bldg.
316 North Robert Street
St. Paul, MN 55101

Hon. Clifford Scott Green
Senior U.S. District Judge
15613 James A. Byrne
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

Hon. J. Thomas Greene
Senior U.S. District Judge
447 Frank E. Moss U.S. Courthouse
350 South Main Street
Salt Lake City, UT 84101

Hon. Thomas P. Griesa
Senior U.S. District Judge
1630 Thurgood Marshall
U.S. Courthouse
40 Center Street
New York, NY 10007-1501

Hon. David F. Hamilton
U.S. District Judge
330 Birch Bayh Federal Building
& U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

Hon. Thad Heartfield
Chief Judge, U.S. District Court
P.O. Box 949
Beaumont, TX 77004-0949

Hon. David Hittner
Senior U.S. District Judge
8509 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

Hon. Wm. Terrell Hodges
Senior U.S. District Judge
Golden-Collum Federal Building and
U.S. Courthouse, Box 11
207 Northwest Second Street
Ocala, FL 34475

Hon. Lynn N. Hughes
U.S. District Judge
11122 Bob Casey U.S. Courthouse
515 Rusk Avenue
Houston, TX 77002

Hon. Sterling Johnson, Jr.
Senior U.S. District Judge
~~720 S United States Courthouse~~
~~225 Cadman Plaza East~~
Brooklyn, NY 11201

Hon. James P. Jones
Chief Judge, U.S. District Court
P.O. Box 669
Abingdon, VA 24212

Hon. Adalberto Jordan
U.S. District Judge
Federal Courthouse Square
8th Floor
301 North Miami Avenue
Miami, FL 33128

Hon. Lawrence K. Kariton
Senior U.S. District Judge
15-200 U.S. Courthouse
501 I Street
Sacramento, CA 95814

Hon. Robert F. Kelly
Senior U.S. District Judge
11613 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1765

Hon. Matthew F. Kennelly
U.S. District Judge
1778 Everett McKinley Dirksen
U.S. Courthouse
219 South Dearborn Street
Chicago, IL 60604

Hon. Dale A. Kimball
U.S. District Judge
220 Frank E. Moss U.S. Courthouse
350 South Main Street
Salt Lake City, UT 84101

Hon. Richard H. Kyle
Senior U.S. District Judge
760 Warren E. Burger Federal Bldg.
316 N. Robert Street
St. Paul, MN 55101

Hon. David G. Larimer
U.S. District Judge
250 Kenneth B. Keating Fed. Building
100 State Street
Rochester, NY 14614-1324

Hon. David F. Levi
Chief Judge, U.S. District Court
14-200 United States Courthouse
501 I Street
Sacramento, CA 95814-2322

Hon. Reginald C. Lindsay
U.S. District Judge
5130 John Joseph Moakley
U.S. Courthouse
One Courthouse Way
Boston, MA 02210

Hon. Howard R. Lloyd
U.S. Magistrate Judge
U.S. District Court
5140 United States Courthouse
280 South First Street
San Jose, CA 95113

Hon. Alia M. Ludlum
U.S. District Judge
A-202 U.S. Courthouse
111 East Broadway Street
Del Rio, TX 78840

Hon. Paul A. Magnuson
Senior U.S. District Judge
730 Warren E. Burger Federal Building
316 North Robert Street
St. Paul, MN 55101

Hon. Thomas J. McAvoy
Senior U.S. District Judge
225 Federal Building
15 Henry Street
Binghamton, NY 13901

Hon. Ann D. Montgomery
U.S. District Judge
13W U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

INVOLVED JUDGES LIST (CTO-48) MDL-1657

PAGE 3 of 4

Hon. K. Michael Moore
U.S. District Judge
1168 James Lawrence King Federal
Justice Bldg.
99 N.E. Fourth Street
Miami, FL 33132

Hon. Federico A. Moreno
U.S. District Judge
1061 James Lawrence King
Federal Justice Building
99 N.E. Fourth Street
Miami, FL 33132

Hon. G. Patrick Murphy
Chief Judge, U.S. District Court
255 Melvin Price Federal Building
& U.S. Courthouse
750 Missouri Avenue
E. St. Louis, IL 62201

Hon. Donald C. Nugent
U.S. District Judge
15A Carl B. Stokes U.S. Courthouse
801 West Superior Avenue
Cleveland, OH 44114-1842

~~Hon. Marilyn Hall Patel
U.S. District Judge
Phillip Burton U.S. Courthouse
Box 36060
450 Golden Gate Avenue
San Francisco, CA 94102-3661~~

Hon. W. Allen Pepper, Jr.
U.S. District Judge
329 Federal Building
305 Main Street
Greenville, MS 38701

Hon. Gene E.K. Pratter
U.S. District Judge
United States District Court
5118 James A. Byrne U.S.
Courthouse
601 Market Street
Philadelphia, PA 19106-1796

Hon. William D. Quarles, Jr.
United States District Court
Edward A. Garmatz Fed. Bldg.
& U.S. Courthouse
101 West Lombard Street
Baltimore, MD 21201

Hon. Michael J. Reagan
U.S. District Judge
200 Melvin Price Fed. Bldg.
& U.S. Courthouse
750 Missouri Avenue
E. St. Louis, IL 62201

Hon. Mary Lou Robinson
U.S. District Judge
226 J. Marvin Jones Federal Building
205 East Fifth Avenue
Amarillo, TX 79101

Hon. Eduardo C. Robreno
U.S. District Judge
11614 James A. Byrne
U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1745

Hon. James M. Rosenbaum
Chief Judge, U.S. District Court
15E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. John C. Shabaz
U.S. District Judge
P.O. Box 591
Madison, WI 53701

Hon. Norma L. Shapiro
Senior U.S. District Judge
10614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1774

Hon. Allen Sharp
Chief Judge, U.S. District Court
124 Robert A. Grant Federal Bldg.
& U.S. Courthouse
204 South Main Street
South Bend, IN 46601

Hon. Charles A. Shaw
U.S. District Judge
Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street, 12th Floor
St. Louis, MO 63102-9958

Hon. William B. Shubb
Senior U.S. District Judge
14-200 United States Courthouse
501 I Street
Sacramento, CA 95814-2322

~~Hon. Charles R. Simpson, III
Chief Judge, U.S. District Court
247 Gene Snyder U.S. Courthouse
601 West Broadway
Louisville, KY 40202~~

Hon. Theresa L. Springmann
U.S. District Judge
2113 E. Ross Adair Federal Building
& U.S. Courthouse
1300 S. Harrison Street
Ft. Wayne, IN 46802

Hon. Keith Starrett
U.S. District Judge
U.S. District Court
228 U.S. Courthouse Federal Bldg.
701 N. Main Street
Hattiesburg, MS 39401

Hon. Brian T. Stewart
U.S. District Judge
148 Frank E. Moss U.S. Courthouse
350 South Main Street
Salt Lake City, UT 84101

Hon. Richard W. Story
U.S. District Judge
2321 Richard B. Russell Federal
Building & U.S. Courthouse
75 Spring Street
Atlanta, GA 30303-3361

Hon. R. Barclay Surrick
U.S. District Judge
8614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1796

Hon. John Daniel Tinder
U.S. District Judge
304 U.S. Courthouse
46 East Ohio Street
Indianapolis, IN 46204

Hon. James T. Trimble, Jr.
Senior U.S. District Judge
237 Edwin F. Hunter Jr. U.S.
Courthouse & Fed. Bldg.
611 Broad Street
Lake Charles, LA 70601

Hon. Petrese B. Tucker
U.S. District Judge
9613 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1796

INVOLVED JUDGES LIST (CTO-48) MDL-1657

PAGE 4 of 4

Hon. John R. Tunheim
U.S. District Judge
13E U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

Hon. Warren K. Urbom
Senior U.S. District Judge
507 Robert V. Denney U.S. Courthouse
100 Centennial Mall North
Lincoln, NE 68508

Hon. Donald E. Walter
Senior U.S. District Judge
4200 U.S. Courthouse
300 Fannin Street
Shreveport, LA 71101-3050

Hon. John F. Walter
U.S. District Judge
176 United States Courthouse
312 North Spring Street
Los Angeles, CA 90012-4701

Hon. T. John Ward
U.S. District Judge
United States District Court
100 E. Houston Street
Marshall, TX 75670

Hon. Henry R. Wilhoit, Jr.
Senior U.S. District Judge
320 Federal Building
1405 Greenup Avenue
Ashland, KY 41101

INVOLVED CLERKS LIST (CTO-48)
DOCKET NO. 1657
IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY
LITIGATION

Arlen B. Coyle, Clerk
 U.S. District Court
 305 Main Street
 Room 329
 Greenville, MS 38701

Arlen B. Coyle, Clerk
 369 Fed. Bldg. & U.S. Courthouse
 911 Jackson Avenue East
 Oxford, MS 38655-3622

Christopher R. Johnson, Clerk
 U.S. District Court
 P.O. Box 1566
 El Dorado, AR 71731-1566

Clarence Maddox, Clerk
 Federal Courthouse Square
 301 North Miami Avenue
 Miami, FL 33128-7788

David J. Maland, Clerk
 Jack Brooks Federal Bldg.
 & U.S. Courthouse
 300 Willow Street, Suite 104
 Beaumont, TX 77701

David J. Maland, Clerk
 100 East Houston Street
 #125
 Marshall, TX 75670-4144

Denise Lucks, Clerk
 U.S. District Court
 P.O. Box 83468
 Lincoln, NE 68508-3468

Felicia C. Cannon, Clerk
 Edward A. Garmatz Federal
 Building & U.S. Courthouse
 101 W. Lombard Street
 Baltimore, MD 21201-2690

Geri M. Smith, Clerk
 United States District Court
 2-161 Carl B. Stokes U.S. Courthouse
 801 West Superior Avenue
 Cleveland, OH 44113

Gregory C. Langham, Clerk
 A105 Alfred A. Arraj U.S. Courthouse
 901 19th St.
 Denver, CO 80294-3589

J. Michael McMahon, Clerk
 Daniel Patrick Moynihan
 U.S. Courthouse
 500 Pearl Street
 New York, NY 10007-1312

J.T. Noblin, Clerk
 200 U.S. Courthouse & Fed. Bldg.
 701 North Main Street
 Hattiesburg, MS 39401

Jack L. Wagner, Clerk
 4-200 U.S. Courthouse
 501 I Street
 Sacramento, CA 95814-2322

James Bonini, Clerk
 324 Potter Stewart U.S. Courthouse
 100 East Fifth Street
 Cincinnati, OH 45202

James G. Woodward, Clerk
 339 Broadway
 Cape Girardeau, MO 55415

~~Jeffrey A. Apperson, Clerk~~
~~106 Gene Snyder U.S. Courthouse~~
~~601 West Broadway~~
~~Louisville, KY 40202~~

John Brubaker, Clerk
 P.O. Box 2708
 Greensboro, NC 27402-2708

John F. Corcoran, Clerk
 P.O. Box 490
 Big Stone Gap, VA 24219

Joseph W. Skupniewitz, Clerk
 U.S. District Court
 P.O. Box 432
 Madison, WI 53701-0432

Karen S. Mitchell, Clerk
 J. Marvin Jones Federal Bldg.
 P.O. Box F13240
 205 East Fifth Avenue
 Amarillo, TX 79101-1556

Laura A. Briggs, Clerk
 105 Birch Bayh Federal Building
 & U.S. Courthouse
 46 East Ohio Street
 Indianapolis, IN 46204

Lawrence K. Baerman, Clerk
 U.S. District Court
 100 South Clinton Street
 Syracuse, NY 13261

Leslie G. Whitmer, Clerk
 Federal Bldg., 3rd Floor
 1405 Greenup Avenue
 Ashland, KY 41101

Luther D. Thomas, Clerk
 U.S. District Court
 201 Federal Building
 121 Spring Street, N.E.
 Gainesville, GA 30501

Markus B. Zimmer, Clerk
 150 Frank E. Moss U.S. Courthouse
 350 South Main Street
 Salt Lake City, UT 84101-2180

Michael E. Kunz, Clerk
 2609 James A. Byrne
 U.S. Courthouse
 601 Market Street
 Philadelphia, PA 19106-1797

Michael N. Milby, Clerk
 United States District Court
 P.O. Box 61010
 Houston, TX 77208-1010

Michael W. Dobbins, Clerk
 Everett McKinley Dirksen
 U.S. Courthouse
 219 South Dearborn Street
 Chicago, IL 60604

INVOLVED CLERKS LIST (CTO-48) MDL-1657

PAGE 2 of 2

Norbert G. Jaworski, Clerk
U.S. District Court
P.O. Box 249
E. St. Louis, IL 62202-0249

Perry D. Mathis, Clerk
140 Hugo L. Black U.S. Courthouse
1729 5th Avenue North
Birmingham, AL 35203

Richard Sletten, Clerk
202 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

~~Richard W. Wicking, Clerk~~
~~Phillip Burton U.S. Courthouse~~
~~Box 36060~~
~~450 Golden Gate Avenue~~
~~San Francisco, CA 94102-3489~~

Richard W. Wicking, Clerk
2112 U.S. Courthouse
280 South First Street
San Jose, CA 95113

~~Robert C. Heinemann, Clerk~~
~~130 United States Courthouse~~
~~225 Cadman Plaza East~~
~~Brooklyn, NY 11201-1818~~

Robert H. Shemwell, Clerk
2100 U.S. Courthouse
800 Lafayette Street
Lafayette, LA 70501

Robert H. Shemwell, Clerk
1167 U.S. Courthouse
300 Fannin Street
Shreveport, LA 71101-3083

Robert M. March, Clerk
U.S. Courthouse
333 Lomas Boulevard, N.W.
Albuquerque, NM 87102

Rodney C. Early, Clerk
2120 Kenneth B. Keating Federal Building
100 State Street
Rochester, NY 14614-1368

Sarah Thornton, Clerk
Clerk's Office - Attn: Sherry Jones
U.S. Courthouse
595 Main Street
Worcester, MA 01608

Sherri R. Carter, Clerk
G-8 U.S. Courthouse
312 North Spring Street
Los Angeles, CA 90012

Sheryl L. Loesch, Clerk
U.S. District Court
207 NW Second Street
Ocala, FL 34475

Stephen R. Ludwig, Clerk
1108 Federal Building
1300 South Harrison Street
Fort Wayne, IN 46802

Stephen R. Ludwig, Clerk
P.O. Box 1498
Lafayette, IN 47902

William G. Putnicki, Clerk
L-100 U.S. Courthouse
111 East Broadway
Del Rio, TX 78840-5573

William G. Putnicki, Clerk
John H. Wood, Jr.
U.S. Courthouse
655 East Durango Boulevard
San Antonio, TX 78206-1198

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vratil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

Telephone: [202] 502-2800
Fax: [202] 502-2888

<http://www.jpml.uscourts.gov>

May 18, 2006

Loretta G. Whyte, Clerk
C-151 U.S. Courthouse
500 Poydras Street
New Orleans, LA 70130-3367

Re: MDL-1657 – In re Vioxx Marketing, Sales Practices and Products Liability Litigation

(See Attached CTO-48)

Dear Ms. Whyte:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on May 2, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

The Panel has ordered that its Rule 1.6(a), pertaining to transfer of files, be suspended for purposes of this litigation. Accordingly, the transferee district clerk shall request, and the transferor district clerk shall forward, only those files deemed necessary by the transferee district court.

A list of involved counsel is attached.

Very truly,

Michael J. Beck
Clerk of the Panel

By 

Deputy Clerk

Attachments

cc: Transferee Judge: Judge Eldon E. Fallon
Transferor Judges: (See Attached List of Judges)
Transferor Clerks: (See Attached List of Clerks)

JPML Form 36A